

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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| U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED MAR - 9 2007 CLERK, U.S. DISTRICT COURT By _____ Deputy |
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RAMESH KUMAR WADHWA,
Petitioner,

VS.

NATHANIEL QUARTERMAN, Director
Texas Department of Criminal Justice,
Correctional Institutions Division,
Respondent.

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NO. 3-04-CV-1687-G

**RECOMMENDATION REGARDING MOTION
TO PROCEED IN FORMA PAUPERIS ON APPEAL**

The court has considered the appellant's application for leave to proceed *in forma pauperis* on appeal, the certified trust fund account statement or institutional equivalent, and all consents and other documents required by the agency having custody of the appellant to withdraw funds from the account.

- () The application for leave to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915 should be GRANTED.
- () The plaintiff should be assessed an initial partial appellate fee of \$ _____. See 28 U.S.C. § 1915(b)(1).
- () The plaintiff should not be assessed an initial partial appellate fee. See 28 U.S.C. § 1915(b)(1).
- () The plaintiff should pay \$ _____, the balance of the appellate filing fee, in monthly installments. See 28 U.S.C. § 1915(b)(2).
- (X) The motion for leave to proceed *in forma pauperis* on appeal should be DENIED for the following reasons:
- () The plaintiff is not a pauper.
- () The plaintiff has not complied with the requirements of 28 U.S.C. § 1915(a)(1) or (a)(2). See Notice of Deficiency and Order filed on _____.
- (X) Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), and for the reasons stated in the Order Striking and Unfiling Document, filed on January 30, 2007, and in the Order Striking and Unfiling Document, filed on February 13, 2007, the court should certify that the appeal is not taken in good faith.

DATE: March 9, 2007.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE